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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,294	09/18/2000	Nathan F. Raciborski	19396-001300US	3787

7590 07/21/2004

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EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/664,294	Applicant(s) RACIBORSKI ET AL.	
	Examiner Kevin Bates	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5-5-2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to a communication made on May 5, 2004.

The Information Disclosure Statement was received on May 5, 2004.

Claims 1-20 are pending in this application.

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tripp (6516337) in view of Kraft (6418452).

Regarding claim 1, Tripp discloses a directory (a central catalog) which has a first conduit between the directory and a first site; a second conduit between the directory and a second site (Column 5, lines 47 – 51); a receiver function (Column 5, lines 36 – 38) to accept: a first local catalog of directory information from the first site and a second local content catalog of directory information from the second site (Column 5, lines 38 – 45); a global catalog of directory information that comprises the first local catalog and the second local catalog (Column 5, lines 36 – 38); and a first timer (Column 10, lines 9 – 11, where there is an implied timer to tell the system to periodically check for brochures), wherein the first local catalog is removed from the global catalog if the first site fails to communicate within a time period (Column 10, lines

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11 – 15; Column 5, lines 38 – 42, where the time period includes a number of clock cycles of periodic checking of brochures), but Tripp does not explicitly indicate that the first site should autonomously report in. Kraft teaches a web site repository (Column 2, lines 15 – 18), where the global catalog has web sites report in updates to the repository (Column 5, lines 41 – 49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kraft's teachings of having websites report modifications to the master repository or global catalog of changes so that the server knows to look at the site for those updates, thus increasing the efficiency of data mining (Column 2, lines 30 – 39).

Regarding claim 2, Tripp discloses the idea that the first site and second site respectively reports the first local catalog and second local catalog to the receiver function according to a predetermined schedule (Column 6, lines 40 – 44).

Regarding claim 3, Tripp discloses that the first conduit and the second conduit each comprise the Internet (Column 5, lines 12 – 14).

Regarding claim 4, Tripp discloses the idea that the first and second local catalogs provide location information for a plurality of content objects (Column 5, lines 15 – 25).

Regarding claim 5, Tripp discloses the idea that the location information comprises at least a file name (Column 6, lines 13 – 14) and an address (Column 5, lines 14 – 15).

Regarding claim 6, Tripp discloses the idea of a second timer wherein: the second local catalog is removed from the global catalog if the second site fails to **autonomously** respond before the second timer expires (Column 10, lines 11 – 15).

Regarding claim 7, Tripp discloses a search web page and a directory web page that is coupled to the global catalog (Column 9, lines 57 – 60).

Regarding claim 8 and 15, see the rationale for the rejection to claim 1.

Regarding claim 9 and 16, see the rationale for the rejection to claim 2.

Regarding claim 10 and 17, see the rationale for the rejection to claim 3.

Regarding claim 12 and 18, see the rationale for the rejection to claim 4.

Regarding claim 13 and 19, see the rationale for the rejection to claim 5.

Regarding claim 14 and 20, see the rationale for the rejection to claim 6.

Regarding claim 15, see the rationale for the rejection to claim 7.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Regarding the arguments, the invention as claimed, does not necessarily include the idea of autonomously reporting the site's local catalog's, the claimed invention only asserts that they report something to the global catalog.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6505248 issued to Casper, because it teaches a global index monitoring catalogs from remote sites.

U. S. Patent No. 5862325 issued to Reed, because it teaches a directory server, maintaining metadata that identifies and categorizes a remote site.

U. S. Patent No. 6195681 issued to Appleman, because it has a main server containing a list of servers with their catalogs.

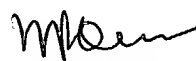
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
July 8, 2004.


HOSAIN ALAM
PATENT EXAMINER